

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/715,161 Confirmation No.: 4102
Appellant(s): Olof Schybergson et al.
Filed: November 17, 2003
Art Unit: 2624
Examiner: Alex Kok Soon Liew
Title: TOPOGRAPHIC PRESENTATION OF MEDIA FILES IN A MEDIA DIARY
APPLICATION

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P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF UNDER 37 CFR § 41.37

This Appeal Brief is filed pursuant to the “Notice of Appeal to the Board of Patent Appeals and Interferences” filed September 7, 2010, and is responsive to the Final Office Action dated June 7, 2010 (“the Final Office Action”).

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1. ***Real Party in Interest.***

The real party in interest in this appeal is Nokia Corporation, the assignee of the above-referenced patent application.

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2. ***Related Appeals and Interferences.***

There are no related appeals and/or interferences involving this application or its subject matter.

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3. ***Status of Claims.***

The present application includes pending Claims 1-4, 6-17, and 28-34, all of which stand rejected. Claims 5 and 18-27 were previously canceled. All of pending Claims 1-4, 6-17, and 28-34 are hereby being appealed.

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4. ***Status of Amendments.***

There are no un-entered amendments in this application.

5. ***Summary of Claimed Subject Matter.***

The claimed invention will now be summarized with reference to passages of the specification. It should be understood, however, that the references are provided solely for explanatory purposes, and should not otherwise in and of themselves be taken to limit the scope of the claimed invention. The supporting disclosure is cited with reference to the published application, U.S. Patent Application Publication No. 2005-0108643.

Independent Claim 1 is directed to an application including a computer readable storage medium having computer-readable program instructions embodied in the medium. Support for this may be found at least in paragraph [0041] which recites that “the media diary application will be embodied by a computer readable storage medium having computer-readable program instructions stored in the medium.” Claim 1 further recites that the computer-readable program instructions include: (a) first instructions for generating a media view that segments time into time units; and (b) second instructions for generating a topographic view that graphically represents media file quantity in relation to the time units presented in the media view. The second instructions are configured to (c) generate the topographic view so as to individually represent media file quantity for each of a plurality of different media file types, and the second instructions are further configured to (d) generate the topographic view so as to concurrently display the individual representations of the media file quantity for each of the plurality of different media file types in relation to the same time units.

Support for element (a) of Claim 1 can be found at least in paragraph [0041] which recites that “the computer-readable program instructions include first instructions that will generate a time bar that is presented in a media diary view and segments periods of time into time units.” See also FIGS. 1-6 which each depict a time bar that is segmented into time units such as hours, days, weeks, and months. Support for element (b) of Claim 1 can be found at least in paragraph [0041] which recites that “the computer readable program instructions also include second instructions that will generate a topographic view that will graphically represent the quantity of media files in relation to the time units.” See also FIGS. 2-6 which depict a topographic view of the number of media files as associated with the time units across the time bar. Support for element (c) of Claim 1 can be found at least in paragraph [0041] which recites

“the topographic view may also graphically distinguish between media files of a chosen characteristic, such as media file type, media file size, related media file event, and the like.” See also FIG. 4, which depicts topographic lines 320A-320D, each representing a different media file type. Support for element (d) of Claim 1 can be found at least in FIG. 4 which, as noted, depicts individual quantities of each of the plurality of different media file types in relation to the time units across the time bar.

Independent Claim 16 is directed to an apparatus including a processor and a memory storing computer-readable program instructions, where the memory and the computer-readable program instructions are configured, with the processor, to cause the apparatus to perform several operations. Support for this may be found at least at paragraph [0071] which recites that “the digital device 600 will include a processing unit 610 such as a processor, an application specific integrated circuit, analog and/or digital circuitry, or any other similar device that executes computer-readable program instructions for accessing media files. Wherein the program instructions and the media files are generally stored in memory device 620.” The operations performed by the apparatus include (a) generate a media view that segments time into units and (b) generate a topographic view that graphically represents media file quantity in relation to the time units presented in the media view. Independent Claim 16 further requires (c) the topographic view is generated so as to individually represent media file quantity for each of a plurality of different media file types and (d) the topographic view is generated so as to concurrently display the individual representations of the media file quantity for each of the plurality of different media file types in relation to the same time units.

Support for element (a) of Claim 16 can be found at least in paragraph [0041] which recites that “the computer-readable program instructions include first instructions that will generate a time bar that is presented in a media diary view and segments periods of time into time units.” See also FIGS. 1-6 which each depict a time bar that is segmented into time units such as hours, days, weeks, and months. Support for element (b) of Claim 1 can be found at least in paragraph [0041] which recites that “the computer readable program instructions also include second instructions that will generate a topographic view that will graphically represent the quantity of media files in relation to the time units.” See also FIGS. 2-6 which depict a

topographic view of the number of media files as associated with the time units across the time bar. Support for element (c) of Claim 1 can be found at least in paragraph [0041] which recites “the topographic view may also graphically distinguish between media files of a chosen characteristic, such as media file type, media file size, related media file event, and the like.” See also FIG. 4, which depicts topographic lines 320A-320D, each representing a different media file type. Support for element (d) of Claim 1 can be found at least in FIG. 4 which, as noted, depicts individual quantities of each of the plurality of different media file types in relation to the time units across the time bar.

Independent Claim 31 is directed to a method that includes the operations of (a) generating a media view that segments time into time units and (b) generating a topographic view that graphically represents media file quantity in relation to the time units presented in the media view. The method further requires that (c) generating the topographic view includes individually representing media file quantity for each of a plurality of different media file types and (d) concurrently displaying the individual representations of the media file quantity for each of the plurality of different media file types in relation to the same time units.

Support for element (a) of Claim 31 can be found at least in paragraph [0041] which recites that “generat[ing] a time bar that is presented in a media diary view and segments periods of time into time units.” See also FIGS. 1-6 which each depict a time bar that is segmented into time units such as hours, days, weeks, and months. Support for element (b) of Claim 1 can be found at least in paragraph [0041] which recites that “generat[ing] a topographic view that will graphically represent the quantity of media files in relation to the time units.” See also FIGS. 2-6 which depict a topographic view of the number of media files as associated with the time units across the time bar. Support for element (c) of Claim 1 can be found at least in paragraph [0041] which recites “the topographic view may also graphically distinguish between media files of a chosen characteristic, such as media file type, media file size, related media file event, and the like.” See also FIG. 4, which depicts topographic lines 320A-320D, each representing a different media file type. Support for element (d) of Claim 1 can be found at least in FIG. 4 which, as noted, depicts individual quantities of each of the plurality of different media file types in relation to the time units across the time bar.

Dependent Claims 3, 28, and 32 further define element (b) of each of Claims 1, 16, and 31 respectively to further define media file quantity as the storage volume of the media files. Support for this can be found at least in paragraph [0036] which recites that “the number quantity of media files may be defined by the number of media files or the storage volume of media files. As such, the topographic view of the media diary application provides the user of the diary an efficient means of locating media files and assessing quantity of media files in relation to time span.”

Dependent Claims 11, 29, and 33 further define element (b) of each of Claims 1, 16, and 31 respectively to further include (e) generating a zoom mechanism that provides for a more detailed graphical representation of the media files than provided by the topographic view including a graphical representation of the media files in accordance with more finely divided time units than in the topographic view and further configured to (f) concurrently display both at least a portion of the topographic view and the more detailed graphical representation of the media files.

Support for element (e) above can be found at least in paragraph [0061] which recites that embodiments may provide for a zoom mechanism, typically implemented by having a cursor moved across the topographic view, such that when the cursor encounters a line graph, the media files that are associated with the underlying line graph are displayed, typically via a separate pop up window.” See also FIGS. 2-4. Support for element (f) above can be found at least in FIG. 5 which displays a portion of the topographic view and a zoomed, more detailed graphical representation superimposed on the topographic view.

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6. ***Grounds of Withdrawal/Rejection to be reviewed on Appeal.***

The following grounds of rejection are appealed:

(A) The Final Office Action of June 7, 2010 rejects pending claims 1-4, 6-8, 13-17, 28, and 30-34 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,996,782 to Parker et al. (hereinafter "Parker") in view of U.S. Patent Application Publication No. 2001/0056434 to Kaplan et al. (hereinafter "Kaplan").

(B) Claims 9 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker in view of Kaplan and in further view of U.S. Patent No. 5,732,184 to Chao et al. (hereinafter "Chao").

(C) Claims 11, 12, and 29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Parker in view of Kaplan and in further view of U.S. Patent No. 4,589,140 to Bishop et al. (hereinafter "Bishop"). Each of these rejections is hereby being appealed.

7. ***Argument.***

Independent Claim 1 is directed to an application that includes a computer readable storage medium having computer-readable program instructions embodied therein. The computer-readable program instructions include first instructions for generating a media view that segments time into time units and second instructions for generating a topographic view that graphically represents media file quantity in relation to the time units presented in the media view. Independent Claim 1 further recites that the second instructions generate the topographic view “so as to individually represent media file quantity for each of a plurality of different media file types[.]” In addition, the second instructions “concurrently display the individual representations of the media file quantity for each of the plurality of different media file types in relation to the same time units.” For example, Figures 2-4 depict line graphs of five different media file types indicating the quantity of each different media file type over the course of time.

The Final Office Action recites in the Response to Appellant’s Arguments that “[t]he examiner agrees with the applicant, where the histogram does not provide any indication of the type of digital objects that are present in any particular time period. However, in an updated search shows that Kaplan (US pub no 2001/0056434) discloses providing indication of the type of digital object, such as an audio file, image file or a video file (*see figure 7, elements 36 and 48*).” Appellant respectfully disagrees and asserts that the combination of Parker and Kaplan is improper. Further, even if the teachings of Parker were combined with those of Kaplan, the teachings do not render obvious the claimed invention.

(A) The Rejections of Claims 1-4, 6-8, 13-17, 28, and 30-34:

(i) The Combination of Parker and Kaplan is Improper

The final Office Action recites on page 5 that “Parker is silent providing indication of different types of digital objects, such as an audio file, image file or a video file in a display window. However, it is well known to use a plurality of other multimedia contents such as audio files or video files to record current or social events.” The Office Action then cites Kaplan as disclosing “provid[ing] indication of different type of digital objects, such as an audio file, image file or a video file (*see figure 7, elements 36 and 48*) in a display window. However, the Office

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Action does not provide a reason for performing the modification. The Supreme Court in *KSR Int'l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1731 (2007), stated that:

Often, it will be necessary ... to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by a person having ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis should be made explicit.

See id. at 1396 (emphasis added).

The “reason” provided in the Office Action is a mere conclusory statement that “it would have been obvious to one having ordinary skill in the art at the time of the invention was made to include to provide indication of different type of digital objects to allow user or operator to easily differential between the types of media files in order to reduce amount of time searching or retrieving multimedia files.” As such, the assertion of the final Office Action regarding motivation to combine the references is at best a broad conclusory statement which, standing alone, is not an explicit statement that provides an apparent reason for combining the cited references.

Furthermore, one skilled in the art would not have been motivated to combine Parker and Kaplan, except as a result of the impermissible application of hindsight. In fact, the Court of Appeals for the Federal Circuit has stated that “[c]ombining prior art references without evidence of such a suggestion, teaching, or motivation simply takes the inventor’s disclosure of a blueprint for piecing together the prior art to defeat patentability—the essence of hindsight.” *In re Dembiczak*, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). Although the evidence of a suggestion, teaching or motivation to combine the references commonly comes from the prior art references themselves, the suggestion, teaching or motivation can come from the knowledge of one of ordinary skill in the art or the nature of the problem to be solved. *Id.* In any event, the showing must be clear and particular and “[b]road conclusory statements regarding the teaching effort of multiple references, standing alone, are not ‘evidence.’” *Id.*

As stated in MPEP § 2143.01, “the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the

desirability of the combination.” MPEP § 2143.01 (citing *In re Mills*, 916 F.2d 680 (Fed. Cir. 1990)). Thus the combination of Parker and Kaplan is improper and the rejections that rely upon the combination (specifically Claims 1-4, 6-17, and 28-34) should be withdrawn.

(ii) The Combination of Parker and Kaplan Does Not Teach the Claimed Invention

Claim 1 recites *inter alia* “wherein the second instructions are configured to generate the topographic view so as to individually represent media file quantity for each of a plurality of different media file types[.]” As noted above, the Office Action admits that Parker fails to teach or suggest this feature. In the amendment filed March 5, 2010, the Appellant stated that “the histogram does not provide any indication of the type of digital objects that are present in any particular time period. Instead, the histogram is a bar graph illustrating the number of digital objects per time period, but not the type of video objects.” The Examiner agrees with this as stated on page 2 of the Office Action and cites Kaplan to rectify the deficiency. The Office Action cites, in particular, figure 7 of Kaplan and elements 36 and 48.

Appellant respectfully disagrees with the Office Action’s interpretation of Kaplan and points to the disclosure of Kaplan as failing to teach the features alleged by the Office Action. The Office Action states on page 2 that Kaplan “discloses providing indication of the type of digital object.” Appellant notes that teaching the “type of digital object” alone does not cure the deficiencies of Parker. Further, Kaplan does not teach grouping objects by type as alleged. Figure 7 of Kaplan merely illustrates a folder system of a typical computer. The folders shown (named “containers” in the disclosure of Kaplan) are merely buckets whose contents are unrestricted to a particular file type. Paragraph [0042] of Kaplan recites in part:

Any number of containers 48 can be set up by the user to represent various types or categories of multimedia content. Once a container 48 is designated the user then assigns it an image that will appear in the thumbnail 36 for that container 48. The image assigned to the thumbnail 36 will be used to identify the contents of the particular container 48. In one preferred embodiment of the present invention, a series of default containers 48 are set up to hold types of multimedia content for movies 56, photos 50, and songs 52. Several examples of user designated categories of multimedia content include images of space 45 and pictures of kids 58.

Thus, while Kaplan identifies that some containers may be named for “movies” or “photos,” the folder system does not restrict the contents of the containers by media type as alleged by the Office Action. Kaplan states in paragraph [0044] **“Of course, the user is free to store multimedia content file in any container 48 they wish.”** Thus, the organization of the folder system of Kaplan cannot accurately “individually represent media file quantity for each of a plurality of different media file types” as recited in each of the independent claims.

Thus, even if Kaplan and its disclosure of different containers of were combined with Parker, the resulting combination would still display a histogram illustrating the number of objects during each predetermined time period without separately indicating the number of each different type of digital object within a respective time period since this is currently what is provided by the system of the Parker for the various different types of digital objects. Thus, the combination of cited references would still fail to teach or suggest second instructions that are configured to generate the topographic view “so as to individually represent media file quantity for each of a plurality of different media file types ... [and] ... to concurrently display the individual representations of the media file quantity for each of the plurality of different media file types in relation to the same time units”, as set forth by independent Claim 1 and similarly recited in Claims 16 and 31.

For each of the foregoing reasons, independent Claims 1, 16, and 31 are not taught or suggested by the cited references, taken either individually or in combination. Thus, the rejections of independent Claims 1, 16, and 31, as well as the claims which depend therefrom, are overcome.

(iii) The Rejections of the Dependent Claims

The dependent claims include each of the recitations of a respective independent claim and are therefore patentably distinct from the cited references, taken either individually or in combination, for at least the same reasons as described above in conjunction with the independent claims. However, several of the dependent claims include additional recitations that further patentably distinguish the claimed invention from the cited references.

In this regard, dependent Claims 3, 28 and 32 further define the media file quantity to be the storage volume of media files. The Official Action points to Parker in regards to the rejection of dependent Claim 3. However, the histogram generated by Parker does not illustrate media file quantity as a storage volume of the media files and, instead, merely creates a histogram based on a number of media files with no accounting for the size of the various media files. See, for example, column 4, lines 19-21 of Parker which states that “[t]he length of graphical bar 80 represents the relative **number of objects** in the chosen database in a given date bin on timelines 82 and 84.” Emphasis added. Thus, dependent Claims 3, 28 and 32 are also patentably distinct from the cited references, taken either individually or in combination, for this additional reason.

Dependent Claims 11, 29 and 33 further describe the generation of a zoom mechanism that provides for a more detailed graphical representation of media files than provided by the topographic view including a graphical representation of the media files in accordance with more finely divided units than in the topographic view with both at least a portion of the topographic view and the more detailed graphical representation of the media files being concurrently displayed. See, for example, Figure 5 of the present application which illustrates a more detailed graphical representation 400 overlayed upon the topographic view. The Office Action admits that neither Parker nor Kaplan, alone or in combination teach the aforementioned feature and cites Bishop to cure this deficiency; however, Bishop is entirely non-analogous art. The MPEP § 2141.01(a)(i) states that to rely on a reference under 35 U.S.C. 103, it must be analogous prior art. Bishop is directed to “real-time high-speed inspection of objects involving storing digital signal mask information of optical scans of objects at different magnifications[.]” See Abstract. Appellant fails to see how Bishop can be considered analogous art.

(B) The Rejection of Claims 9 and 10

Claim 9 depends from independent Claim 1 and Claim 10 depends from Claim 7 which depends from Claim 4, which depends from independent Claim 1. As it has been demonstrated above that the combination of Parker and Kaplan is improper, and even if improperly combined the references do not teach or suggest all of the elements of independent Claim 1, the claims that depend therefrom are similarly patentable. The additional cited reference of Chao does not cure

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the noted deficiencies with respect to Parker and Kaplan such that none of the cited references, alone or in combination, teach or suggest the elements of Claims 9 or 10. Therefore, Claims 9 and 10 are patentably distinct from the cited art.

(C) The Rejection of Claims 11, 12, and 29

Claim 12 depends from Claim 11 which depends from independent Claim 1. Claim 29 depends from independent Claim 16. As it has been demonstrated above that the combination of Parker and Kaplan is improper, and even if improperly combined the references do not teach or suggest all of the elements of independent Claims 1 or 16, the claims that depend therefrom are similarly patentable. The additional cited reference of Bishop does not cure the noted deficiencies with respect to Parker and Kaplan such that none of the cited references, alone or in combination, teach or suggest the elements of Claims 11, 12, or 29. Therefore, Claims 11, 12, and 29 are patentably distinct from the cited art.

CONCLUSION

In view of the above, at least independent claims 1 and 16 and 31 are patentably distinct from the cited references and therefore are in condition for allowance. For at least this reason, Appellant respectfully submits that the rejections of claims 1, 16, and 31 under 35 U.S.C. 103(a) over Parker and Kaplan, as well as the claims which depend therefrom should be withdrawn.

8. ***Claims Appendix.***

The claims currently on appeal are as follows:

1. (Previously presented) An application comprising a computer readable storage medium having computer-readable program instructions embodied in the medium, the computer-readable program instructions comprising:
first instructions for generating a media view that segments time into time units; and
second instructions for generating a topographic view that graphically represents media file quantity in relation to the time units presented in the media view, wherein the second instructions are configured to generate the topographic view so as to individually represent media file quantity for each of a plurality of different media file types, and wherein the second instructions are further configured to generate the topographic view so as to concurrently display the individual representations of the media file quantity for each of the plurality of different media file types in relation to the same time units.
2. (Original) The application of Claim 1, wherein the second instructions for generating a topographic view that graphically represents media file quantity in relation to the time units presented in the media view further defines media file quantity as the number of media files.
3. (Original) The application of Claim 1, wherein the second instructions for generating a topographic view that graphically represents media file quantity in relation to the time units presented in the media view further defines media file quantity as the storage volume of media files.
4. (Previously presented) The application of Claim 1, wherein the second instructions for generating a topographic view that graphically represents media file quantity in relation to the time units presented in the media view and graphically distinguishes between media files of a chosen media file characteristic in addition to the media file type.

5. (Canceled)

6. (Original) The application of Claim 4, wherein the second instructions for generating a topographic view that graphically distinguishes between media files of a chosen media file characteristic and the chosen media characteristic is defined in media file metadata.

7. (Original) The application of Claim 4, wherein the second instructions for generating a topographic view that graphically distinguishes between media files of a chosen media file characteristic further comprises a media file characteristic chosen from the group consisting of media file size, event related to the media file, media file author, media file title and media file keyword.

8. (Original) The application of Claim 1, wherein the first instructions for generating a media view that segments time into time units further comprises time units chosen from the group consisting of minutes, hours, days, weeks, months, years, decades and centuries.

9. (Original) The application of Claim 1, wherein the second instructions for generating a topographic view further includes generating a baseline representation for dividing the graphical representations into more than one portion of the topographic view.

10. (Original) The application of Claim 7, wherein the second instructions for generating a topographic view that includes generating a baseline representation further includes generating a baseline representation that provides for dividing the graphical representations into more than one portion of the topographic view based on a chosen distinguishing media file characteristic.

11. (Previously presented) The application of Claim 1, wherein the second instructions for generating a topographic view further includes instructions for generating a zoom

mechanism that provides for a more detailed graphical representation of media files than provided by the topographic view including a graphical representation of the media files in accordance with more finely divided time units than in the topographic view, wherein the second instructions are configured to concurrently display both at least a portion of the topographic view and the more detailed graphical representation of the media files.

12. (Original) The application of Claim 11, wherein the second instructions for generating a zoom mechanism further provides for the zoom mechanism that provides for a detailed graphical representation of media files and the ability to access the media files via the detailed graphical representation.

13. (Original) The application of Claim 1, wherein the second instructions for generating a topographic view further includes instructions for generating a focus mechanism that provides for the media files to be previewed.

14. (Previously presented) The application of Claim 1, wherein the second instructions for generating a topographic view further includes instructions for generating lenses for identifying areas within the topographic view that include results of a search of the media files, wherein the second instructions are configured to generate the lenses to have distinct characteristics in order to represent different searches or different amounts of media files that satisfy the search.

15. (Original) The application of Claim 1, wherein the second instructions for generating a topographic view further includes instructions for generating highlighted areas within the topographic view that identify areas of user interest.

16. (Previously presented) An apparatus comprising:
processor and a memory storing computer-readable program instructions, wherein the memory and the computer-readable program instructions are configured, with the processor, to cause the apparatus at least to:
generate a media view that segments time into time units, and
generate a topographic view that graphically represents media file quantity in relation to the time units presented in the media view, wherein the topographic view is generated so as to individually represent media file quantity for each of a plurality of different media file types, and wherein the topographic view is generated so as to concurrently display the individual representations of the media file quantity for each of the plurality of different media file types in relation to the same time units.

17. (Previously presented) The apparatus of Claim 16, wherein the processor is configured to execute computer-readable program instructions for accessing media files, the computer-readable program instructions comprising second instructions for generating a topographic view that graphically represents media file quantity in relation to the time units presented in the media view and graphically distinguishes between media files of a chosen media file characteristic.

Claims 18-27 (Canceled)

28. (Previously presented) An apparatus of Claim 16, wherein the memory and the computer-readable program instructions are further configured, with the processor, to cause the apparatus to generate the topographic view so as to graphically represent media file quantity as the storage volume of media files in relation to the time units presented in the media view.

29. (Previously presented) An apparatus of Claim 16, wherein the memory and the computer-readable program instructions are further configured, with the processor, to cause the apparatus to:

generate a topographic view that includes a zoom mechanism that provides for a more detailed graphical representation of media files than provided by the topographic view including a graphical representation of the media files in accordance with more finely divided time units than in the topographic view; and

concurrently display both at least a portion of the topographic view and the more detailed graphical representation of the media files.

30. (Previously presented) An apparatus of Claim 16, wherein the memory and the computer-readable program instructions are further configured, with the processor, to cause the apparatus to generate a topographic view that includes lenses for identifying areas within the topographic view that include results of a search of the media files, wherein the lenses to have distinct characteristics in order to represent different searches or different amounts of media files that satisfy the search.

31. (Previously presented) A method comprising:
generating a media view that segments time into time units; and
generating a topographic view that graphically represents media file quantity in relation to the time units presented in the media view, wherein generating the topographic view comprises individually representing media file quantity for each of a plurality of different media file types and concurrently displaying the individual representations of the media file quantity for each of the plurality of different media file types in relation to the same time units.

32. (Previously presented) A method of Claim 31, wherein generating a topographic view comprises graphically representing media file quantity as the storage volume of media files in relation to the time units presented in the media view.

33. (Previously presented) A method of Claim 31, wherein generating a topographic view comprises generating a zoom mechanism that provides for a more detailed graphical representation of media files than provided by the topographic view including a graphical representation of the media files in accordance with more finely divided time units than in the topographic view, and wherein the method further comprises concurrently displaying both at least a portion of the topographic view and the more detailed graphical representation of the media files.

34. (Previously presented) A method of Claim 31, wherein generating a topographic view comprises generating lenses for identifying areas within the topographic view that include results of a search of the media files, and wherein generating the lenses comprises generating the lenses to have distinct characteristics in order to represent different searches or different amounts of media files that satisfy the search.

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9. ***Evidence Appendix.***

None.

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10. ***Related Proceedings Appendix.***

None.

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CONCLUSION

In light of the remarks presented herein, Appellant submits that Claims 1-4, 6-17, and 28-34 are patentable and the rejections should be reversed.

Respectfully submitted,



Jonathan A. Thomas
Registration No. 62,200

CUSTOMER NO. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Charlotte Office (704) 444-1000
Fax Charlotte Office (704) 444-1111
LEGAL02/32262846v1

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